

REMARKS

In the Restriction Requirement mailed January 16, 2009, the Examiner has restricted the claims to one of the following inventions under 35 U.S.C. § 121:

Group IA: Claims 1, 8, 26, 29, 34, 41, 59 and 66

Group IB: Claims 1-2, 26-27, 34-35 and 59-60

Group IC: Claims 1, 8, 26, 41, 59, 66, 3, 19, 28, 52, 61, 77, 34 and 36

Group ID: Claims 1, 34, 60, 4, 37 and 62

Group IE: Claims 1, 34, 60, 5, 38 and 63

Group IF: Claims 1, 34, 60, 6, 39 and 64

Group IG: Claims 1, 34, 60, 7, 40 and 65

Group IH: Claims 8, 29, 41, 66, 9, 30, 42, 67, 14, 47, 72, 18, 51 and 76

Group IJ: Claims 8, 29, 41, 66, 10, 31, 43, 68, 14, 47, 72, 18, 51 and 76

Group IK: Claims 8, 41, 66, 11, 44, 69, 15, 48, 73, 18, 51 and 76

Group IL: Claims 8, 41, 66, 11, 44, 69, 16, 49, 74, 18, 51 and 76

Group IM: Claims 8, 41, 66, 11, 44, 69, 17, 50, 75, 18, 51 and 76

Group IN: Claims 8, 41, 66, 12, 45, 70, 13, 46, 71, 18, 51 and 76

Group IO: Claims 1, 8, 26, 41, 66, 3, 19, 28, 52, 77, 34 and 36

Group IP: Claims 8, 41, 66, 20, 53 and 78

Applicants elect, without traverse, Group IB, claims 1, 26, 34, 59, 2, 27, 35, and 60, all directed to a patentably distinct species as indicated by the Office Action. Applicants respectfully withdraw claims Groups IA and IC-IP without prejudice or disclaimer, and reserve the right to reintroduce them in one or more Divisional patent applications at a later date should a generic claim not be found to be allowable.

RESPONSE TO RESTRICTION REQUIREMENT

Serial Number: 10/749,614

Filing Date: December 30, 2003

Title: METHOD AND SYSTEM TO PUBLISH A SELLER FIXED PRICE OFFER

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Dkt: 2043.033US2

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone the undersigned attorney at (408) 660-2015 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date February 17, 2009

By /


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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 17 day of January, 2009.

Name BRADLEY W. SCHEER

Signature CBW